

# LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

## Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

DON WILSON CONSTRUCTION, INC.

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of  
sand and gravel in the state of Missouri. The extent of the

Proposed mining operation(s) will be on two acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Renewal

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Phelps	15	38N	08W	2	0	2	Don Bennett Farm/Spring Creek	1821

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo, 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 25th day of March 2004

  
DIRECTOR OF STAFF  
Land Reclamation Commission

Permit No 0874  
Effective Date 03/25/2004  
Expiration Date 03/18/2005

# RECEIVED

FEB 23 2004



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES**

MISSOURI LAND RECLAMATION COMMISSION  
P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <b>DON WILSON Const. CO. INC</b>		DATE <b>2-13-04</b>	
ADDRESS <b>11925 Co Rd 8030</b>	CITY <b>Rolla</b>	STATE <b>MO</b>	ZIP CODE <b>65401</b>
CONTACT PERSON <b>DON WILSON</b>		TELEPHONE NUMBER <b>3412093</b>	

**FEES: COMPLETE SECTION I OR SECTION II**

**SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:**

**1. To compute the site fee complete the information below:**

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1.	Jan, Feb, Mar, Apr, May, <u>Jun, Jul, Aug, Sep, Oct</u> , Nov, Dec	\$ <b>150.00</b>
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$

TOTAL SITE FEE **150.00**

2. Acreage Fee \$5 X \_\_\_\_\_ number of acres bonded ..... \$

3. Annual Permit Fee ..... \$ 500

4. Total Fee (Add totals from 1, 2 and 3) ..... \$

NOTE: If Total Fee exceeds \$2,500.00 then pay only ..... \$ 2,500

**SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:**

1. Annual Permit Fee ..... **\$ 300**

SIGNATURE OF APPLICANT <i>Don Wilson</i>	TITLE <b>Owner/President</b>	DATE <b>2/13/04</b>
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Appeared before me this **13th** day of **February**, 20 **04**. **DON WILSON**  
to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSER SEAL	STATE OF <b>Missouri</b>	COUNTY (OR CITY OF ST. LOUIS) <b>Phelps</b>
	SUBSCRIBED AND SWORN BEFORE ME, THIS <b>13th</b> DAY OF <b>February</b> YEAR <b>2004</b>	USE RUBBER STAMP IN CLEAR AREA BELOW.
	NOTARY PUBLIC SIGNATURE <i>Sherry L Phelps</i> NOTARY PUBLIC NAME (TYPED OR PRINTED) <b>Sherry L Phelps</b>	MY COMMISSION EXPIRES <b>12/27/2007</b>

FOR DEPARTMENT USE ONLY: APPROVED BY <i>[Signature]</i>	DATE APPROVED <b>3-24-04</b>	PERMIT NUMBER <b>0874</b>	EXPIRATION DATE <b>3-18-05</b>
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MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**SITE INFORMATION FORM**

To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER <i>Don Bennett Farm (site #1)</i>		PERMIT NUMBER <i>0874</i>	
COMPANY NAME <i>Don Wilson Construction Co. Inc.</i>			
COUNTY <i>Phelps</i>	1/4 SECTION <i>-</i>	SECTION <i>15</i>	
TOWNSHIP <i>38 N</i>	RANGE <i>08 W</i>	ACRES <i>2</i>	
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) <i>Springs Creek</i>			
MINERAL COMMODITY <i>Sand + Gravel</i>		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) <i>25000 tons</i>	

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <i>Don Bennett</i>		
ADDRESS <i>14211 Co. Rd. 8050</i>		
CITY <i>Rolla</i>	STATE <i>MO</i>	ZIP CODE <i>65901</i>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT <i>1-15-01</i>
<input type="checkbox"/> LEASE <input checked="" type="checkbox"/> VERBAL AGREEMENT		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <i>Same as above</i>		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

**NOTE:** Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION

**STREAM PROTECTION PLAN - 10 CSR 40-10.020(2)(D)3**

(Required for in-stream sites, or as required by the Director)

TYPE OF PLAN  
(CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

☒ LONG TERM, FOR PERIOD THROUGH DATE: 2015

Company Name: Don Wilson Construction Co. Inc.

Don Wilson Construction

DESCRIPTION OF STREAM CONDITION PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING BANK CONDITION, BANK VEGETATION AND WATER QUALITY.

The area to be mined involves a  $\frac{1}{4}$  mile stretch of Spring Creek north of Co. Rd. 8270 (see Map). The creek is bordered by agricultural operations (pasture). A narrow width of trees borders each side of the creek. The stream banks are fairly steep but well vegetated.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM BANKS, SUCH AS PROTECTING BANK VEGETATION, IF APPLICABLE.

Excavations between the stream banks will be managed such that water flow is not directed toward the stream banks. A ten-foot wide buffer strip of gravel will be left undisturbed between the operation and streambank vegetation.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM ENVIRONMENTS, SUCH AS KEEPING ACTIVE MINING OPERATIONS ON GRAVEL BARS, RATHER THAN IN FLOWING WATER, AND KEEPING HAUL ROADS AWAY FROM FLOWING WATER, IF APPLICABLE.

Gravel removal will be restricted to the exposed portions of the gravel bars. Gravel will be removed from gravel bars to a depth no deeper than the normal water level. Access to the gravel will be performed by crossing the stream at one point of access.

DESCRIBE METHODS USED TO PROTECT WATER QUALITY, SUCH AS INSTALLING EROSION CONTROL DEVICES, IF APPLICABLE.

Gravel removal will be restricted to periods of low flow.  
A ten-foot wide strip of gravel will be left undisturbed  
between the excavation and the stream side vegetation.

1-1-01

LR 20 2001

By my signature, I attest to the following:

- 1) All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
- 2) I or the company I am authorized to represent intend(s) to mine in accordance with this Plan, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo (Supp. 1990), and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
- 3) I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no right to grant such access, I have attached signed affidavits from the landowners granting such access.

SIGNATURE OF APPLICANT ▶ <i>Don Wilson</i>		TITLE <i>President</i>	DATE <i>2-15-01</i>
Appeared before me this <i>15<sup>th</sup></i> day of <i>February</i> , <i>2001</i> <i>Don Wilson</i> to me personally known, who executed the above as their free acts and deeds.			
NOTARY PUBLIC EMBOSSEER SEAL	STATE OF <i>Missouri</i>	COUNTY (OR CITY OF ST. LOUIS) <i>Phelps</i>	
	SUBSCRIBED AND SWORN BEFORE ME, THIS <i>15<sup>th</sup></i> DAY OF <i>FEBRUARY</i> , <i>2001</i>		
	USE RUBBER STAMP IN CLEAR AREA BELOW.		
NOTARY PUBLIC SIGNATURE <i>Lawrence J. Brown</i>		MY COMMISSION EXPIRES <i>9/30/02</i>	<div style="border: 1px solid black; padding: 5px;"><b>LAWRENCE J. BROWN</b> Notary Public - Notary Seal STATE OF MISSOURI Phelps County My Commission Expires <i>9/30/02</i></div>
NOTARY PUBLIC NAME (TYPED OR PRINTED) <b>LAWRENCE J. BROWN</b>			
APPROVED BY (DIRECTOR'S REPRESENTATIVE) ▶ <i>Tin Zhou</i>		TITLE <i>CRS II</i>	<i>9/30/02</i> 2-21-01



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION

PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES

RECEIVED

FEB 2 2001

P.O. BOX 176  
JEFFERSON CITY, MO 65102

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <u>Don Wilson Construction Co. Inc.</u>		DATE <u>2-15-01</u>	
ADDRESS <u>11925 Co. Rd 8030</u>	CITY <u>Rolla</u>	STATE <u>MO</u>	ZIP CODE <u>65401</u>
CONTACT PERSON <u>Don Wilson</u>		TELEPHONE NUMBER <u>(573) 341-2093</u>	

Check any that apply:

☒ New Permit ☐ Permit Renewal ☐ Permit Amendment ☐ Permit Revision ☐ Permit Expansion

SITE NAME OR NUMBER	ACRES TO BE PERMITTED		TOTAL ACRES FOR ALL SITES
	INSTREAM	ALL OTHER	
<u>Don Bennett Farm (site #1)</u>	<u>2</u>		<u>2</u>

Fees - Complete A or B

A - For sand and gravel operators mining less than 5,000 tons/year

Permit Fee ..... \$100.00

Number of new acres 2 X \$35.00/acre .... \$ 70.00

B - For ALL other operations

Permit Fee ..... \$350.00

Number of sites ..... X \$40.00/site ..... \$

Number of new acres ..... X \$35.00/acre ..... \$

Total fees ..... \$ 170.00

Bonding for all acreage EXCEPT instream - Complete A or B

A - For sand and gravel operators mining less than 5,000 tons/year

Number of new acres ..... X \$500.00/acre ... \$

B - For ALL other open pit operations

Minimum per permit ..... \$ 8,000.00

Acreage over 8 acres ..... X \$500.00/acre ..... \$

Number of new acres where topsoil will be sold

or discarded ..... X \$4,500.00/acre ..... \$

Total bonding required ..... \$

☐ Check here if adequate bonding is already posted.

List all other Land Reclamation Commission permits previously or currently held by applicant or by companies owned or partially controlled by applicant. If none, write "none" below.

NAME OF COMPANY	PERMIT NUMBER	MINERAL COMMODITY	YEARS

For any of the above which have been served Cessation of Operations or Bond Forfeiture, or have unabated Notices of Violation, please give:

PERMIT NUMBER	TYPE OF ACTION

I certify that all statements made on this application are correct, complete, and true, to the best of my knowledge.

SIGNATURE OF APPLICANT <u>Don Wilson</u>	TITLE <u>President</u>	DATE <u>2-15-01</u>
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Appeared before me this 15<sup>th</sup> day of February, 2001, Don Wilson to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSEER SEAL	STATE <u>Missouri</u>	COUNTY (OR CITY OF ST. LOUIS) <u>Phelps</u>
	SUBSCRIBED AND SWORN BEFORE ME, THIS <u>15<sup>th</sup></u> DAY OF <u>February</u> , <u>2001</u>	
	NOTARY PUBLIC SIGNATURE <u>Lawrence J. Brown</u>	MY COMMISSION EXPIRES <u>9/30/02</u>
	NOTARY PUBLIC NAME (TYPED OR PRINTED) <u>LAWRENCE J. BROWN</u>	

USE RUBBER STAMP IN CLEAR AREA BELOW

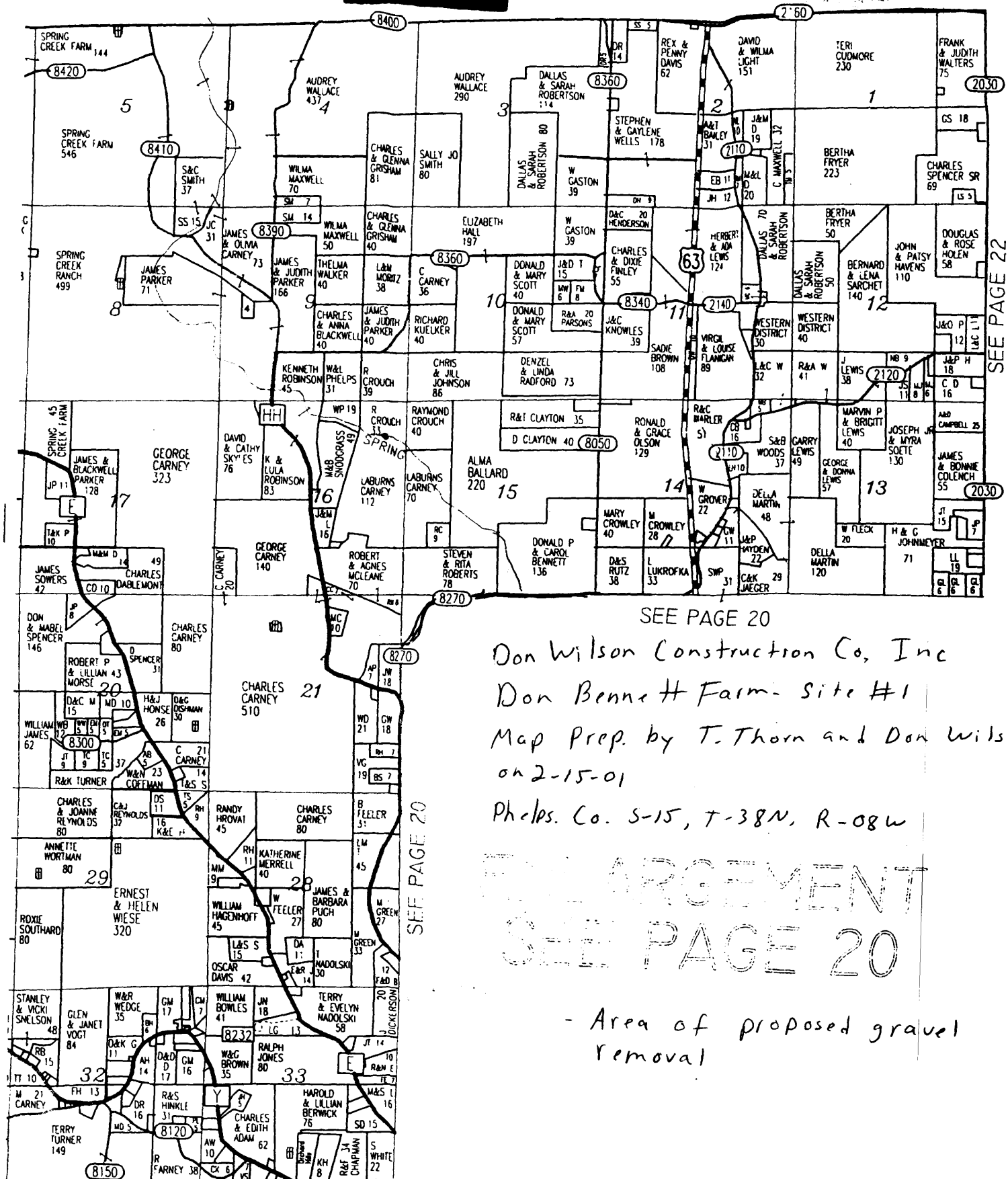
<p>LAWRENCE J. BROWN Notary Public - Notary Seal STATE OF MISSOURI Phelps County My Commission Expires <u>Sept. 30, 2002</u> EXPIRATION DATE <u>3-12-2002</u></p>
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APPROVED BY (DIRECTOR'S REPRESENTATIVE) <u>Jin Tha</u>	DATE APPROVED <u>2-21-01</u>	PERMIT NUMBER <u>0874</u>
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ROBERT LANE

T38N, R8W

2:50



SEE PAGE 20

Don Wilson Construction Co, Inc

Don Benne H Farm- Site #1

Map Prep. by T. Thorn and Don Wilson  
on 2-15-01

Phelps. Co. S-15, T-38N, R-08W

ENLARGEMENT  
SEE PAGE 20

- Area of proposed gravel removal

S. PAGE 28



Don Wilson Construction Co., Inc.  
Don Bennett Fra Farm - Site #1  
Map prep 2-15-01 by T. Thorn and Don  
Wilson  
Phelps Co. - 5-15, T-38N, R-08W

Access Road to gravel bar  
Area of silt/sand/gravel removal

"Detail Map"

PHELPS COUNTY, MISSOURI

DATE OF PHOTOGRAPHY APRIL, 1993

SCALE 1" = 400'

SEC. 15, 16, 21, 22 T 38 N - R 8 W

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